

]	<p style="text-align: center;">DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING</p> <p style="text-align: center;"><i>ENFORCEMENT DIVISION</i></p> <p style="text-align: center;"><i>DIRECTIVE</i></p>	<p>DIRECTIVE NUMBER</p> <p style="text-align: center;">105</p> <p>DISTRIBUTION DATE</p> <p style="text-align: center;">October 1, 1998</p>
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1. **SUBJECT: PROHIBITION ON REFERRALS TO PRIVATE ATTORNEYS**

2. **PURPOSE:** To set forth the procedures for referring members of the public to attorneys outside the Department, other than to established referral services.

3. **BACKGROUND:** The Department Incompatible Activities Statement, contained in the Department of Fair Employment and Housing (DFEH) Administrative Manual at Section 20312 states, in part, "...Employees may not...endorse or recommend to the public the use of a commercial product or service, either in one's official capacity, or in the name of the Department." It is contrary to this statement, and to long-standing policy, for staff to refer members of the public to attorneys outside the Department.

4. **PROCEDURES:**

A. **Responding to Public Requests:**

Any member of the public requesting referral to a private attorney, or a recommendation as to the services of a private attorney, is to be advised that to do so is contrary to State and Departmental policy and that no such referral will be made.

B. **Alternatives:**

It is appropriate to refer persons to established referral organizations such as The Bar Association, The Legal Aid Society, fair housing groups, etc.

5. **CONSEQUENCES:**

Failure to comply with this Directive or with the Department's Incompatible Activities Statement may result in formal adverse action.

6. **APPROVAL:**

Nancy C. Gutierrez, Director

Date